

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LaShawnda Young, Independent)	
Administrator for the estate of Divonte)	
Young,)	
)	Case No. 13-cv-5651
Plaintiff,)	
)	Hon. Joan B. Gottschall
vs.)	
)	
The City of Chicago, et al.,)	
)	
Defendants.)	

IPRA’S MOTION FOR LEAVE TO FILE SURRESPONSE *INSTANTER*

The Independent Police Review Authority (“IPRA”), by its attorney Patrick J. Rocks of Jackson Lewis P.C., hereby moves this Court for leave to file a surresponse *instante* to Plaintiff’s reply in support of her “Amended Rule to Show Cause” (“Amended Motion”).¹ In support of this motion, IPRA states as follows:

1. On October 26, 2016, Plaintiff filed the Amended Motion. [ECF 149].
2. On November 9, 2016, IPRA filed its response to the Amended Motion (“Response”). [ECF 156].
3. On November 27, 2016, Plaintiff filed her reply (“Reply”). [ECF 161].
4. In the Reply, Plaintiff clarified issues IPRA previously understood were disputed.
5. Plaintiff also presented inaccurate or incomplete information that warrants correction.
6. In addition, in the Reply, Plaintiff introduced new arguments and made a new request for relief that she did not include in her Amended Motion, including arguments based on a

¹ This document is misnamed. It actually is a motion for entry of a rule to show cause.

District Court order in another case that was issued after Plaintiff filed the Amended Motion and IPRA filed its Response.

7. It is appropriate to allow a surresponse when a party misstates the record or makes new arguments and requests for relief in a reply brief. *See Univ. Healthsystem Consortium v. UnitedHealth Group, Inc.*, 68 F. Supp. 3d 917, 922 (N.D. Ill. 2014) (allowing a surreply on account of new arguments and new requests for relief in a reply memorandum); *Inter-Med, Inc. v. ASI Med., Inc.*, No. 09-CV-383, 2010 U.S. Dist. LEXIS 146602, *1-2 (E.D. Wis. July 19, 2010) (allowing a surreply on account of misstatements and misrepresentations in a reply brief).
8. IPRA's proposed surresponse is attached hereto as Exhibit A.

Wherefore, IPRA hereby respectfully moves this Court for leave to file the surresponse attached hereto *instanter*.

Respectfully submitted,

**INDEPENDENT POLICE REVIEW
AUTHORITY**

By: /s/ Patrick J. Rocks

One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Patrick J. Rocks, an attorney, certify that on December 13, 2016, I caused a true and correct copy of the attached **IPRA'S MOTION FOR LEAVE TO FILE SURRESPONSE *INSTANTER*** to be filed with the Court by electronic filing protocols, and that the same will therefore be electronically served upon all attorneys of record registered with the Court's ECF/CM system.

/s Patrick J. Rocks